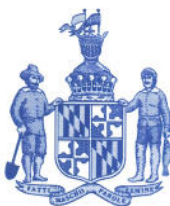


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For Immediate Release

January 5, 2009

Baltimore County Councilman Kenneth Oliver Charged Criminally

State Prosecutor, Robert A. Rohrbaugh, has announced that criminal charges have been filed against Kenneth Oliver, Councilman for Baltimore County's Fourth district, stemming from an investigation into the improper use of funds belonging to The Committee to Elect Kenneth Oliver.

The Grand Jury of Baltimore County indicted Mr. Oliver, 63, of Randallstown, on two counts of Felony Theft and numerous Election Law violations involving failure to account for campaign committee funds and expenditures. The indictment alleges that Mr. Oliver wrote two different checks in the amount of two thousand dollars each to his wife and himself from the campaign's account. By law, funds raised by a candidate for an election campaign belong to the campaign finance committee and not the candidate. The indictment alleges that Mr. Oliver, although not the treasurer of the campaign finance committee, had control of the committee's checking account and petty cash fund, writing checks out to himself allegedly to cover campaign expenses. However, no receipts were ever turned in by him to the campaign documenting such expenditures.

If convicted of the Felony Theft charges, Mr. Oliver faces a maximum penalty of 15 years incarceration, and/or a fine of up to \$25,000. If convicted of the election law violations, he faces a maximum penalty of 1 year incarceration, and/or a fine of up to \$25,000.00 on each violation.

Although Mr. Oliver has been charged, he is presumed innocent unless and until he is convicted. A criminal summons has been issued and no court date has been set.

For further inquiries, contact Senior Assistant State Prosecutor Shelly Glenn.

**IN THE CIRCUIT COURT FOR
BALTIMORE COUNTY, MARYLAND**

STATE OF MARYLAND

V.

KENNETH NATHANIEL OLIVER

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*
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CASE NO.

INDICTMENT

**The Grand Jurors of the State of Maryland for Baltimore County do on their oath
present:**

FACTS COMMON TO ALL COUNTS

I. Background

1. Commencing on or about May 3, 2002 Kenneth Oliver created the campaign finance committee known as Committee to Elect Kenneth Oliver with the State Board of Elections (hereinafter "the committee").
2. On or about October 22, 2001 Kenneth Oliver established a campaign bank account in the name Committee to Elect Kenneth Oliver with Harbor Bank.
3. On or about May 3, 2002 Irvin William Chase was named chairman and Morris Brown, III, was named treasurer of the committee.
4. On or about November 5, 2002, Kenneth Oliver was elected to the Baltimore County Council; he was re-elected to that position in 2006.
5. On or about October 3, 2003 Lisa Smith replaced Morris Brown as Treasurer of the Committee.
6. Since approximately October 2003, Kenneth Oliver has personally and continually maintained possession and control of the committee's one and only checkbook.

7. Since approximately October 2003, neither the committee's treasurer nor chairman had possession nor control over the committee's petty cash fund; Kenneth Oliver maintained the committee's petty cash fund.

II. Disbursements from the Committee's Bank Account

8. On or about June 28, 2007, Kenneth Oliver wrote out check number 1059 on the committee's bank account, made payable to Kenneth Oliver, in the amount of \$250.00. No supporting receipts were ever turned in to the committee's treasurer to document any expenditure to justify check 1059 as a reimbursement to Kenneth Oliver
9. On or about July 20, 2007, Kenneth Oliver wrote out check number 1064 on the committee's bank account, made payable to Kenneth Oliver, in the amount of \$500.00. Although the memo line reads, "Fish Fry Supplies," no supporting receipts were ever turned in to the committee's treasurer to document any expenditure to justify check 1064 as a reimbursement to Kenneth Oliver.
10. On or about July 24, 2007 Kenneth Oliver wrote out check number 1065 on the committee's bank account, made payable to Kenneth Oliver in the amount of \$500.00. Although the memo line reads "Fish Fry," no supporting receipts were ever turned in to the committee's treasurer to document any expenditures to justify check 1065 as a reimbursement to Kenneth Oliver.
11. On or about August 15, 2007 Kenneth Oliver wrote out check number 1071 on the committee's bank account, made payable to Kenneth Oliver in the amount of \$300.00. Although the memo line reads "MACo trip," no supporting receipts were ever turned in to the committee's treasurer to document any expenditures to justify check 1071 as a reimbursement to Kenneth Oliver.
12. On or about November 15, 2007 Kenneth Oliver wrote out check number 1082 on the committee's bank account, made payable to his wife, Thelma

Oliver, in the amount of \$2,000.00. The memo line on that check reads "loan repayment."

13. On or about November 15, 2007 check number 1082 was deposited into Kenneth Oliver's personal bank account at Harbor bank. The check was endorsed in the name "Thelma Oliver" on the back.
14. On or about January 8, 2008, Kenneth Oliver wrote out check number 1087 on the committee's bank account, made payable to Kenneth Oliver, in the amount of \$2,000.00.
15. On or about January 8, 2008, check number 1087 was cashed by Kenneth Oliver at approximately 9:39a.m. at Harbor Bank. The check was endorsed by Kenneth Oliver.
16. On February 7, 2008, Kenneth Oliver wrote a letter to the State Board of Elections admitting to writing out checks 1082 and 1087 for his personal use, indicating "I alone am responsible" for these actions.

COUNT I--THEFT OVER \$500.00

17. The allegations and facts contained in paragraphs 1--16 are re-alleged and incorporated herein by reference.
18. On November 15, 2007, **KENNETH OLIVER** did, in Baltimore County, willfully and knowingly obtain and exert unauthorized control over property, the value of which exceeded \$500.00, to wit: two thousand dollars, (\$2,000.00)United States Currency (money), belonging to the entity known as The Committee to Elect Kenneth Oliver, contrary to the form of the Act of Assembly in such case made and provided against the peace, government and dignity of the State.
(Theft Over \$500.00, *Criminal Law Article*, sec. 7-104.
CJIS CODE 3-0521

COUNT II—THEFT OVER \$500.00

19. The allegations and facts contained in paragraphs 1--16 are re-alleged and incorporated herein by reference.
20. On January 8, 2008, **KENNETH OLIVER** did, in Baltimore County, willfully and knowingly obtain and exert unauthorized control over property, the value of which exceeded \$500.00, to wit: two thousand dollars (\$2,000.00) United States Currency (money), belonging to the entity known as The Committee to Elect Kenneth Oliver, contrary to the form of the Act of Assembly in such case made and provided against the peace, government and dignity of the State.
- (Theft Over \$500.00, *Criminal Law Article*, sec. 7-104.
- CJIS CODE 3-0521

COUNT III – FAILURE TO MAINTAIN

PETTY CASH LEDGER

21. The allegations and facts contained in paragraphs 1--16 are re-alleged and incorporated herein by reference.
22. Between December 31, 2006 and December 31, 2008, in Baltimore County, Maryland **KENNETH OLIVER** did unlawfully fail to maintain a separate account book for the petty cash fund of the campaign committee known as The Committee to Elect Kenneth Oliver in violation of § 13-220 (c)(2) of the *Election Law Article of Maryland*, and against the peace, government and dignity of the State.
- Election Law Article, § 13-220 (c)(2)
- Penalty 1 year and/or \$25,000.00, Election Article, § 13-603.

COUNT IV—FAILURE TO REPLENISH PETTY

CASH BY CHECK

23. The allegations and facts contained in paragraphs 1--16 are re-alleged and incorporated herein by reference.
24. Between December 31, 2006 and December 31, 2008, in Baltimore County, Maryland, **KENNETH OLIVER** did unlawfully replenish the petty cash fund of the campaign committee known as The Committee to Elect Kenneth Oliver by means other than by check drawn on the committee's account in violation of § 13-220 (c)(3) of the *Election Law Article of Maryland*, and against the peace, government and dignity of the State.
- Election Law Article, § 13-220 (c)(3)
- Penalty 1 year and/or \$25,000.00, Election Article, § 13-603.

COUNT V—FAILURE TO SUPPORT REIMBURSEMENT

FOR EXPENSES BY RECEIPT

25. The allegations and facts contained in paragraphs 1--16 are re-alleged and incorporated herein by reference
26. On or about June 28, 2007 in Baltimore County, Maryland, **KENNETH OLIVER** did unlawfully reimburse a person who paid an expense of the Committee to Elect Kenneth Oliver without a receipt for said expense being provided to the campaign finance entity, to wit: check number 1059 on the committee's bank account, made payable to Kenneth Oliver in the amount of \$250.00, in violation of § 13-220 (b)(2)(ii) of the *Election Law Article of Maryland*, and against the peace, government and dignity of the State.
- Election Law Article, § 13-220 (b)(2)(ii)
- Penalty 1 year and/or \$25,000.00, Election Article, § 13-603.

COUNT VI—FAILURE TO SUPPORT REIMBURSEMENT

FOR EXPENSE BY RECEIPT

27. The allegations and facts contained in paragraphs 1--16 are re-alleged and incorporated herein by reference.
28. On or about August 15, 2007 in Baltimore County, Maryland, **KENNETH OLIVER** did unlawfully reimburse a person who paid an expense of the Committee to Elect Kenneth Oliver without a receipt for said expense being provided to the campaign finance entity, to wit: check number 1071 on the committee's bank account, made payable to Kenneth Oliver in the amount of \$300.00, in violation of § 13-220 (b)(2)(ii) of the *Election Law Article of Maryland*, and against the peace, government and dignity of the State.
Election Law Article, § 13-220 (b)(2)(ii)
Penalty 1 year and/or \$25,000.00, Election Article, § 13-603.

COUNT VII—FAILURE TO SUPPORT REIMBURSEMENT

FOR EXPENSE BY RECEIPT

29. The allegations and facts contained in paragraphs 1--16 are re-alleged and incorporated herein by reference.
30. On or about July 24, 2007 in Baltimore County, Maryland, **KENNETH OLIVER** did unlawfully reimburse a person who paid an expense of the Committee to Elect Kenneth Oliver without a receipt for said expense being provided to the campaign finance entity, to wit: check number 1065 on the committee's bank account, made payable to Kenneth Oliver in the amount of \$500.00, in violation of § 13-220 (b)(2)(ii) of the *Election Law Article of Maryland*, and against the peace, government and dignity of the State.
Election Law Article, § 13-220 (b)(2)(ii)
Penalty 1 year and/or \$25,000.00, Election Article, § 13-603.

COUNT VIII—FAILURE TO SUPPORT REIMBURSEMENT
FOR EXPENSE BY RECEIPT

31. The allegations and facts contained in paragraphs 1--16 are re-alleged and incorporated herein by reference.
32. On or about July 20, 2007 in Baltimore County, Maryland, **KENNETH OLIVER** did unlawfully reimburse a person who paid an expense of the Committee to Elect Kenneth Oliver without a receipt for said expense being provided to the campaign finance entity, to wit: check number 1064 on the committee's bank account, made payable to Kenneth Oliver in the amount of \$500.00, in violation of § 13-220 (b)(2)(ii) of the *Election Law Article of Maryland*, and against the peace, government and dignity of the State.
Election Law Article, § 13-220 (b)(2)(ii)
Penalty 1 year and/or \$25,000.00, Election Article, § 13-603.

STATE OF MARYLAND

VS

KENNETH NATHANIEL OLIVER

8818 Greens Lane
Randallstown, Maryland 21133
African-American Male
DOB 3/6/45

INDICTMENT

(True Bill)

_____, **Foreman**

File:

Witnesses:

Special Agent Shanna Hajdun
Office of the State Prosecutor
300 East Joppa Road, Suite 410
Towson, Maryland 21286

CHARGES:

Theft Over \$500.00
Failure to Support Reimbursement for Expenses by Receipt
Failure to Maintain Petty Cash Ledger
Failure to Replenish Petty Cash by Check